

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

☐ Valuation of Security ☐ Assumption of Executory Contract or Unexpired Lease ☐ Lien Avoidance

Last Revised December 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

IN RE:

Case No. **1:18-bk-10714**

Judge _____

Williams, Laura A.

Debtor(s)

Second CHAPTER 13 PLAN AND MOTIONS

☐ Original

☒ Modified/Notice Required

Date: **June 1, 2018**

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: MII

Initial Debtor: LAW

Initial Co-Debtor:

Part 1: Payment and Length of Plan

- a. The debtor shall pay \$ 430.19 per month to the Chapter 13 Trustee, starting on 2/01/2018 for approximately 60 months.
- b. The Debtor shall make plan payments to the Trustee from the following sources:
☒ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:
☐ Sale of real property
 Description:
 Proposed date for completion: _____
☐ Refinance of real property
 Description:
 Proposed date for completion: _____
☐ Loan modification with respect to mortgage encumbering property
 Description:
 Proposed date for completion: _____
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

- a. Adequate protection payments will be made in the amount of \$ None to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Scher & Isenberg, LLC	Administrative Expense	2,000.00
IRS	Taxes	2,608.21
State of New Jersey	Taxes	436.66

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
None			

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: [] NONE

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
CENLAR (NJ Housing & Mortgage Finance)	416 Wesley Ave, Pitman, NJ 08071-2519	18,208.31	0.00%	18,185.33	1,020.00

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: [X] NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
None					

c. Secured claims excluded from 11 U.S.C. 506: [X] NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
None				

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments [X] NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
None							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
None			

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Capital One Auto Finance
PNC Home Equity

g. Secured Claims to Be Paid in Full Through the Plan ☒ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
None		

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☐ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
None			

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
None				

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation must be filed with the Clerk of Court when the plan and

transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). [] NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
None							

b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured. [X] NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Total Amount of Lien to be Reclassified
None						

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. [X] NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
None					

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) **Trustee Commissions**
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**

6) General Unsecured Claims

d. Post-petition claims The Trustee [] is, [X] is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification [] NONE

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: 6/01/2018

Explain below why the Plan is being modified.	Explain below how the Plan is being modified.
Since the filing of the First Amended Plan, we have received two new Proofs of Claim from the IRS and CENLAR. As such, we have adjusted this plan to reflect their Proofs of Claims. In addition, there has been an adjustment to Schedule J to more accurately reflect the expenses of the Debtor.	The amount has been adjusted to pay all secured claims, attorney and trustee fees.

Are Schedules I and J being filed simultaneously with this Modified Plan? [X] Yes [] No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

[X] NONE

[] Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date:

6/1/18


Attorney for the Debtor

Date:

6/1/18


Debtor

Date:

Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date:

6/1/18

Attorney for the Debtor

Mark G. Gershey

I certify under penalty of perjury that the above is true.

Date:

6/1/18

Debtor

s/ Laura Williams

Date:

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Laura A. Williams
 Debtor

Case No. 18-10714-JNP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 32

Date Rcvd: Jun 06, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 08, 2018.

db Laura A. Williams, 416 Wesley Ave, Pitman, NJ 08071-2519
 cr +New Jersey Housing and Mortgage Finance Agency, c/, 425 Phillips Boulevard,
 Ewing, NJ 08618-1430
 517275954 Amazon/Chase Visa, PO Box 15298, Wilmington, DE 19850-5298
 517275955 +Atlantic ER Physician Team, 1643 N Harrison Pkwy Bldg H, Sunrise, FL 33323-2857
 517275957 CENLAR (NJ Housing & Mortgage Finance), 425 Phillips Blvd, Ewing, NJ 08618-1430
 517389750 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 517275958 Chase/Bank One Card, PO Box 15298, Wilmington, DE 19850-5298
 517275961 Kennedy Health, 200 E Park Dr Ste 100, Mount Laurel, NJ 08054-1297
 517403579 New Jersey Housing and Mortgage Finance Agency,, c/o Cenlar FSB,
 Pluese, Becker & Saltzman, LLC, 20000 Horizon Way, Suite 900, Mt. Laurel, NJ 08054-4318
 517388271 +PNC BANK N.A., PO BOX 94982, CLEVELAND, OH 44101-4982
 517571364 +PNC BANK, NATIONAL ASSOCIATION, KML Law Group, P.C., 216 Haddon Avenue, Suite 406,
 Westmont, NJ 08108-2812
 517275965 PNC Bank, PO Box 3180, Pittsburgh, PA 15230-3180
 517275966 PNC Home Equity, PO Box 3180, Pittsburgh, PA 15230-3180
 517275964 Penn Medicine, 800 Spruce St, Philadelphia, PA 19107-6130
 517388915 +State of New Jersey, Department of Labor & Workforce, P.O. Box 951,
 Trenton, NJ 08625-0951
 517275967 Target Red Card, PO Box 673, Minneapolis, MN 55440-0673
 517275968 Wells Fargo Dealer Services, PO Box 1697, Winterville, NC 28590-1697

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jun 07 2018 00:35:55 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jun 07 2018 00:35:52 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 517388916 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Jun 07 2018 00:48:24
 Capital One Auto Finance, P.O. Box 4360, Houston, TX 77210-4360
 517285724 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Jun 07 2018 00:31:44
 Capital One Auto Finance, a division of Capital On, AIS Portfolio Services, LP,
 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
 517290836 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Jun 07 2018 00:32:47
 Capital One Auto Finance, c/o AIS Portfolio Servic, P.O. Box 4360, Houston, TX 77210-4360
 517275956 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 07 2018 00:31:29 Capital One Bank,
 PO Box 30281, Salt Lake City, UT 84130-0281
 517275959 E-mail/Text: electronicbkydocs@nelnet.net Jun 07 2018 00:35:57 Department of Education,
 121 S 13th St, Lincoln, NE 68508-1904
 517275960 E-mail/Text: cio.bncmail@irs.gov Jun 07 2018 00:34:53 IRS, 333 W Pershing Rd,
 Kansas City, MO 64108-4302
 517275962 E-mail/Text: bnckohlsnotices@becket-lee.com Jun 07 2018 00:34:44 Kohls, PO Box 3115,
 Milwaukee, WI 53201-3115
 517275963 E-mail/PDF: gecsedirecoverycorp.com Jun 07 2018 00:31:27 Lowes, PO Box 965005,
 Orlando, FL 32896-5005
 517378082 +E-mail/Text: bankruptcydpt@mcmcg.com Jun 07 2018 00:35:51 Midland Funding LLC,
 PO Box 2011, Warren, MI 48090-2011
 517392579 E-mail/Text: bnc-quantum@quantum3group.com Jun 07 2018 00:35:41
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 517277510 +E-mail/PDF: gecsedirecoverycorp.com Jun 07 2018 00:31:28 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 517404263 +E-mail/Text: bncmail@w-legal.com Jun 07 2018 00:36:03 TD Bank USA, N.A.,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 517299459 +E-mail/Text: electronicbkydocs@nelnet.net Jun 07 2018 00:35:57
 US Department of Education c/o Nelnet, 121 South 13th Street, Suite 201,
 Lincoln, NE 68508-1911

TOTAL: 15

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517315585* Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346

TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0312-1

User: admin
Form ID: pdf901

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Total Noticed: 32

Date Rcvd: Jun 06, 2018

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 08, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 1, 2018 at the address(es) listed below:

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Martin I. Isenberg on behalf of Debtor Laura A. Williams misenbergesq@comcast.net,
misenbergesq@comcast.net
Robert P. Saltzman on behalf of Creditor New Jersey Housing and Mortgage Finance Agency, c/o
Cenlar FSB dnj@pbslaw.org
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4